

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: BANISTER

Serial No.: 10/786,718

Filed: February 24, 2004

For: PULSE ACTIVATED ACTUATOR PUMP SYSTEM

Group: 3746

Examiner: Freay, Charles Grant

DOCKET: MEDIPACS 04.03

Board of Interferences and Appeals
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In connection with the above-entitled matter, enclosed please find the following:

1. Appellants' Supplemental Information Disclosure Statement and Petition;
2. Fees in the amount of \$130.00 to cover the Petition fee is being paid via EFS-WEB.

In the event there are any fee deficiencies or additional fees are payable, please credit them, or credit any overpayment, to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Appellant
Reg. No. 24,315

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this paper is being deposited with the United States Patent Office via the electronic filing procedure on March 30, 2011 at Tucson, Arizona.

NPS:msn

By: 

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLN. OF: BANISTER
SERIAL NO.: 10/786,718
FILED: February 24, 2004
FOR: PULSE ACTIVATED ACTUATOR PUMP SYSTEM
DOCKET: MEDIPACS 04.03 CONFIRMATION NO. 2762

Board of Interferences and Appeals
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND PETITION

Dear Sir:

In connection with the above-entitled matter, Appellant wishes to bring to the attention of the Patent Office additional prior art received in connection with a European Search Report issued in Appellant's corresponding EPO Patent Application Serial No. 10014840.2-2315, and prior art received in connection with a Canadian Official Action issued in Appellant's corresponding Canadian Application Serial No. 2,557,325. Attached is U.S. Patent Office Form PTO-1449, a copy of the Search Report and Official Action, and some of the cited references listed therein. Where available, English language counterparts and/or abstracts are also provided for Examiner's convenience. Appellants are not submitting copies of the U.S. Patent References, as the Office waived the requirement. US reference '699 is a counterpart of reference DE '606 cited in the Official Action. The cited US reference '197 is already of record in this case. Thus, additional copies are not being provided. The claims in the present application are believed to be patentably distinguished over these references.

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3450 E. SUNRISE DRIVE,
SUITE 140
TUCSON, AZ 85718
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FAX. 520.882.7643

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MANCHESTER, NH 03101
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FAX. 603.668.8567

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 CFR § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Search Report and Official Action by foreign Examiners in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in foreign patent applications on the same subject matter. However, no independent analysis of the reference, the accuracy of the statements of foreign Examiners or the claims of the foreign applications under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign Examiners' comments submitted therewith.

Fees in the amount of \$180.00 are being paid via EFS-WEB. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway

Attorney for Appellant

Registration No. 24,315

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